

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**ML-CFC 2007-6 PUERTO RICO  
PROPERTIES, LLC,**

Plaintiff,

v.

**BPP RETAIL PROPERTIES, LLC,**  
Defendant/Third-Party Plaintiff,

v.

**C-III ASSET MANAGEMENT, LLC;  
GREYSTONE SPECIAL SERVICING  
CORP.; LNR PARTNERS, LLC; JONES  
LANG LASALLE AMERICAS, INC.; JLL  
PUERTO RICO REALTY G.P., INC.;  
CWCAPITAL ASSET MANAGEMENT,  
LLC,**

Third-Party Defendants.

CIVIL NO.: 17-1199 (RAM)

RE: COLLECTION OF MONIES,  
FORECLOSURE OF MORTGAGE AND  
OTHER RELIEF

**JOINT NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE AND  
MUTUAL RELEASE**

**TO THE HONORABLE COURT:**

**COME NOW**, Defendant and Third-Party Plaintiff, BPP Retail Properties, LLC (“BPP”), and Third-Party Defendants JLL Puerto Rico Realty GP, Inc., and Jones Lang LaSalle Americas, Inc., jointly (the “Parties”), through the undersigned counselors and hereby state and pray as follows:

1. In its pertinent part, Fed. R. Civ. Proc. 41(a)(1)(A)(ii) states that “the plaintiff may dismiss an action without a court order by filing ... a stipulation of dismissal signed by all parties who have appeared.”

2. Fed. R. Civ. Proc. 41(B) commands that, “[u]nless the notice or stipulation states otherwise, the dismissal is without prejudice.”

3. In compliance with Fed. R. Civ. Proc. 41(a)(1)(A)(ii) and 41(B), the appearing Parties hereby stipulate the dismissal *with prejudice* of the Amended Third-Party Complaint filed by BPP in the captioned action against the appearing Third-Party Defendants, including the dismissal *with prejudice* of all claims asserted or those related in any way to this action that could have been asserted by any of the Parties, and the mutual release of all claims and defenses related in any way to this action that could have been asserted by any of the Parties. The Parties agree that any claims concerning any of the allegations in the Amended Third-Party Complaint and the original Third-Party Complaint (Dkt. Nos. 709 and 101) are included within those that could have been asserted related in any way to this action.

4. Each one of the Parties will bear its own costs, expenses, and attorneys’ fees.

**WHEREFORE**, the appearing Parties request that the Court take notice of the foregoing and dismiss all claims and defenses asserted in the captioned case, or those related in any way to this action that could have been asserted, including but not limited to any counterclaim or third-party complaint, by the Parties, *with prejudice*, and without the imposition of costs or attorneys’ fees, and recognize that the Parties have released all claims and defenses that could have been asserted by them related in any way to this case.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 26th day of September, 2022.

**I HEREBY CERTIFY:** That the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

**GURLEY & ASSOCIATES**

*Attorneys for Defendant and Third-Party  
Plaintiff BPP Retail Properties, LLC*  
PO Box 8387  
Fernández Juncos Station  
San Juan, PR 00910-8387  
TEL. (787) 522-0525  
FAX (787) 764-8241

s/Alfredo Fernández Martínez  
**ALFREDO FERNÁNDEZ MARTÍNEZ**  
USDC-PR #210511  
[afernandez@gurleyassociates.com](mailto:afernandez@gurleyassociates.com)

s/Carlos R. Baralt Suárez  
**CARLOS R. BARALT SUAREZ**  
USDC-PR #301510  
[CBaralt-Suarez@gurleyassociates.com](mailto:CBaralt-Suarez@gurleyassociates.com)

**TORO COLÓN MULLET, P.S.C.**

*Attorneys for Third Party Defendants Jones  
Lang LaSalle Americas, Inc. and JLL Puerto  
Rico Realty GP, Inc.*  
P.O. Box 195383  
San Juan, PR 00919-5383  
Tel.: (787) 751-8999  
Fax: (787) 763-7760

S/MANUEL FERNÁNDEZ-BARED  
**MANUEL FERNÁNDEZ-BARED**  
USDC-PR No. 204,204  
E-mail: [mfb@tcm.law](mailto:mfb@tcm.law)

S/ NAYDA I. PÉREZ ROMÁN  
**NAYDA I. PÉREZ ROMÁN**  
USDC-PR No. 300,208  
Email: [nperez@tcm.law](mailto:nperez@tcm.law)